

  
Honorable Mike K. Nakagawa  
United States Bankruptcy Judge



Entered on Docket  
November 02, 2017

Gina M. Corena, Esq. SBN 10330  
LAW OFFICE OF GINA M. CORENA, PLLC  
300 S. 4<sup>TH</sup> Street, Suite 1250  
Las Vegas, NV 89101  
Telephone: (702) 943-0308 Fax: (888) 897-6507  
Email: gina@lawofficecorena.com  
***Proposed Attorney for the Debtors in Possession***

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

JUAN AGUIRRE fdba VILLAREAL, INC.  
and ELIZABETH AGUIRRE,  
Debtors in Possession.

Case No.: 17-15121-MKN  
Chapter 11

DATE: November 1, 2017  
TIME: 9:30 A.M.

**ORDER GRANTING MOTION TO VALUE COLLATERAL, "STRIP OFF" AND  
MODIFY RIGHTS OF UNSECURED CREDITORS PURSUANT TO 11 U.S.C. § 506(a)  
AND § 1123**

Upon the motion (the "**Motion**") of the above captioned Debtors in Possession in the above captioned proceeding (the "**Debtors**"), for their investment property located at 6527 Coldwater Bay Dr., Las Vegas, NV 89122 ("the **Property**"); requesting entry of an order to Value Collateral, "Cram Down" and Modify Rights of the First Mortgage holder, pursuant to 11 U.S.C. § 506(a) and § 1123 finding that the lien is under secured; and due notice of the Motion and the hearing of the Motion having been given to all parties entitled thereto; and a hearing having been held before this Court on November 1, 2017 (the "**Hearing**"), to consider approval

1 of the Motion, at which time all parties in interest were afforded an opportunity to be heard; and  
2 the Court finding that the Property has a value of \$170,000.00; it is hereby:

3 **ORDERED** that the Motion is **GRANTED**; and it is further

4 **ORDERED** that Mr. Cooper fka Nationstar Mortgage, LLC's secured lien claim on the  
5 Property is only partially secured and thus must be bifurcated into secured and unsecured claims  
6 as follows: \$170,000.00 and \$62,954.56 respectively; and it is further

7 **ORDERED** that the unsecured portion of Mr. Cooper fka Nationstar Mortgage, LLC's  
8 Mortgage's claim be reclassified as general unsecured claims to be paid pro rata with other  
9 general unsecured creditors through the Debtors' Chapter 11 plan; and it is further

10 **ORDERED** that nothing herein shall limit the Debtors' right to re-appraise the Property  
11 in connection with confirmation of the Debtors' Chapter 11 plan of reorganization; and it is  
12 further

13 **ORDERED** that this Court retains jurisdiction to hear all matters relating to or arising  
14 from the entry of this Order, and LR 9021 is waived.

15 Respectfully submitted,

16 DATED: November 1, 2017

By: /s/ Gina M. Corena  
Gina M. Corena, Esq.  
***Proposed Attorney for the Debtors in Possession***

**SUBMISSION TO COUNSEL FOR APPROVAL PURSUANT TO LR 9021**

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the Court's ruling and that (check one):

☐ The Court has waived the requirement set forth in LR 9021(b)(1).

☒ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of this order.

APPROVED:

DISAPPROVED:

FAILED TO RESPOND:

Submitted by:

By: /s/ Gina M. Corena, Esq.

Gina M. Corena, Esq.